

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DERRICK J. ELLERBE,
Plaintiff,

v.

**JUDICIAL COUNCIL FOR THE
THIRD CIRCUIT, *et al.*,**
Defendants.

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CIVIL ACTION NO. 23-CV-0407

ORDER

AND NOW, this 22nd day of February, 2023, upon consideration of Plaintiff Derrick J. Ellerbe's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Complaint (ECF No. 2), and Motion for Leave of Court for Service of Process (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED WITH PREJUDICE** for the reasons stated in the Court's Memorandum.
4. The Clerk of Court is **DIRECTED** to close this case.
5. There are no grounds for certificate of appeal.

BY THE COURT:

/s/ **MICHAEL M. BAYLSON**

MICHAEL M. BAYLSON, J.